

DECLARATION, POWER OF ATTORNEY AND PETITION

I, William Darcy Sampson, declare that I am a citizen of the Australia, residing in Sydney, Australia; that I have read the foregoing specification and claims and verily believe I am the original first and sole inventor of the invention in FLUID CONTROL APPARATUS, described and claimed therein; that this application in part discloses and claims subject matter disclosed in my earlier filed pending application, Serial No. 10/265,804 filed 10/07/2002; that, as to the subject matter of this application which is common to said earlier application, that I do not know and do not believe that this invention was ever known or used before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to said earlier application; or in public use or on sale in the United States more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate before the date of said earlier application in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than 12 months before said earlier application; and that no application for patent on this invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as stated here and above.

That as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent on said invention has been filed by me or my representatives or assigns in any country foreign to the United States; that I acknowledge a duty to disclose information which I am aware of which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations Paragraph 1.56(a).

And I hereby appoint Marvin Jacobson, Reg. No. 20,196; Carl L. Johnson, Reg. No. 24,273; and Thomas N. Phung, Reg. No. 53,466, as my attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Please mail all correspondence to the following address:


Carl Johnson
Jacobson and Johnson
Suite 285
One West Water Street
St. Paul, Minnesota 55107-2070

That, I have reviewed the declaration and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in the declaration.

Therefore, I pray that Letters Patent may be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney and this petition.

The undersigned petitioner declares further that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date 8 December, 2003


William Darcy Sampson

Applicant or Patentee: _____
 Serial or Patent No. _____
 Filed or Issued: _____
 For: _____

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9 (f) and 1.27 (c)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled _____
FLUID CONTROL APPARATUS and described in

☒ the specification filed herewith:
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made that invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization
☐ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME
 ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT
 ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR William Sampson Darcy

Signature of inventor 

Date 8 December, 2003